

REMARKS/ARGUMENTS

Claims 1-6, 8, 11-20, 22-25, 27-30 and 32-37 are pending in the application. Claims 7, 9, 10, 21, 26 and 31 have been cancelled.

The allowance of claims 35-37 is noted with appreciation, as is the allowance of claims 5, 6, 8, 11-20, 27, 28 and 32-34 subject to being rewritten in independent form including all of the limitations of the base claim and any intervening claims.

This still leaves claims 1-4, 22-25, 29 and 30 for further consideration.

Claims 1-4 and 23-25 are rejected under 35 U.S.C. § 102(b) as being anticipated by Bobrick (U.S. Design Patent No. D26,715).

Admittedly Bobrick discloses a furniture pedestal including a hollow head C having a greater length than width and non-symmetrical opposite side walls c1, c. Also one of the side walls c of Bobrick has an intermediate length that is straight and in the same plane throughout its length and height, and the other of the side walls c1 has an intermediate length that is spaced further from the plane of the intermediate length of the one side wall than end lengths of the other side wall to provide a wider intermediate width than end widths c2.

However, exception is taken with the Examiner's statement that Bobrick discloses a substantially square mounting hole extending through the top wall of elongated member C in the wider intermediate width having a width that extends widthwise outwardly beyond the end lengths of the other side wall. The mounting hole of Bobrick is generally in the shape of a key hole, not substantially square with four sides as recited in claim 23. Moreover, the mounting hole of Bobrick

extends substantially the entire length of the elongated member C and thus does not have a maximum width in the length direction of the elongated member that is less than the intermediate length of the other side wall of the elongated member and that extends widthwise outwardly beyond the end lengths of the other side wall as recited in claim 1. Also page 4 of the specification has been amended to provide antecedent basis for this claim language, which is clearly supported by the original drawings and specification. Nor is the mounting hole of Bobrick square with four sides and a width that is less than the intermediate length of the other side wall and greater than the end widths and less than the intermediate width of the base member as recited in claim 23. Accordingly, claims 1 and 23 are submitted as clearly allowable.

Claims 2-4 depend from claim 1 and claims 24 and 25 depend from claim 23 and are submitted as allowable for substantially the same reasons. Moreover, claims 2, 3 and 24 further patentably distinguish over Bobrick by reciting that the mounting hole has a center axis in the same plane as the end lengths of the other side wall which is perpendicular to an intermediate length of the top wall. That is clearly not the case in Bobrick.

Also, claims 3 and 25 further patentably distinguish over Bobrick by reciting that the intermediate length of the other side wall has outwardly angled end portions adjacent opposite sides of the mounting hole extending toward each other to resist flexing of a wall of the mounting hole. In Bobrick, the end portions of the intermediate length of the other side wall extend perpendicular to the intermediate length of the other side wall rather than being angled outwardly

toward each other as claimed. In no event are the end portions of the intermediate length of the other side wall of Bobrick adjacent opposite sides of the mounting hole as claimed.

Claims 29 and 30 are rejected under 35 U.S.C. § 102(b) as being anticipated by Schickert et al (U.S. Patent 6,041,559). According to the Examiner, the mounting hole of Schickert et al has a plurality of laterally spaced longitudinally extending ribs 46 having axially rounded end portions adjacent to the top wall on all four sides of the mounting hole that are transversely rounded. However, the so-called ribs 46 of Schickert et al are actually columns that have a substantially trapezoidal cross-sectional shape as shown in Figs. 2 and 4 and are filled with cement when ground sleeve 26 is sunk into cement to create an undercut which makes it more difficult to remove the ground sleeve from the concrete and prevent rotation of the ground sleeve in the concrete (column 6, lines 28-41). These are clearly not longitudinally extending ribs on all four sides of a substantially square mounting hole that are transversely rounded for establishing line contact with a similarly square shaped end portion of an elongated member when inserted into the mounting hole as recited in claims 29 and 30. Nor do the columns 46 of Schickert et al have axially rounded end portions adjacent the top wall to facilitate insertion of the end portions of an elongated member into the mounting hole as further recited in claim 30. In fact claims 29 and 30 recite substantially the same novel structure as allowed claims 5 and 6 and 27 and 28, respectively. Accordingly, claims 29 and 30 are submitted as clearly allowable for substantially the same reasons.

Claim 22 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Bobrick in view of Mariol et al (U.S. Patent 4,596,489). According to the Examiner, it would have been obvious from the teachings of Mariol et al to have made the device of Bobbrick of molded plastic in order to have a resilient and strong device. However, claim 22 depends from claim 1 and is submitted as allowable for substantially the same reasons.

For the foregoing reasons, this application is now believed to be in condition for final allowance of all of the pending claims 1-6, 8, 11-20, 22-25, 27-30 and 32-37, and early action to that end is earnestly solicited. Should the Examiner disagree with applicants' attorney in any respect, it is respectfully requested that the Examiner telephone applicants' attorney in an effort to resolve such differences.

In the event an extension of time is necessary, this should be considered a petition for such an extension. If required, fees are enclosed for the extension of time and/or for the presentation of new and/or amended claims. In the event any additional fees are due in connection with the filing of this reply, the Commissioner is authorized to charge those fees to our Deposit Account No. 18-0988 (Attorney Docket No. PSSIP0115US).

Respectfully submitted,

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